

Health Practitioner Regulation National Law (Surgeons) Amendment Bill 2023

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Submitted by: Australian Society of Plastic Surgeons

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Submitter Comments:

Committee Secretary
Health and Environment Committee
Parliament House
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9th May 2023

To the Committee Secretary,

Submission re: Health Practitioner Regulation National Law (Surgeons) Amendment Bill 2023

The Australian Society of Plastic Surgeons (ASPS) represents over 600 specialist plastic surgeons in Australia, over 100 in Queensland and has been preserving plastic surgery standards for over 50 years. Approximately 200,000 Australians receive care each year to thrive and gain back dignity through restoring form, function, and appearance. Quality of care is maintained by a minimum of 12 years of medical and surgical education, including at least 5 years of specialist postgraduate training.

The ASPS strongly supports the passage of the Health Practitioner Regulation National Law (Surgeons) Amendment Bill 2023, which will strengthen the protection of the public from harm caused by cosmetic surgery operations carried out by those who are not specialist surgeons.

Should the Bill be passed, we expect less misunderstanding in the community about who is really a surgeon and for the community to have confidence that those who use this title have the requisite skill and training. Passage of the bill will improve patient safety and will also have a positive impact on the burden of public hospitals who manage the complications associated with operations performed by untrained cosmetic proceduralists.

Our one reservation about the Bill is section 5, specifically clause 5e, which we believe needs strengthening. The current wording allows any 'medical practitioner' to be deemed a part of the surgical class in the future. We are concerned this clause could entirely undermine the intention of the Bill, which is to ensure that anyone allowed to call themselves a surgeon has the requisite training and qualifications to reach a specialist standard as determined by the Australian Medical Council (AMC).

To strengthen the bill, we recommend the following options:

OPTION I:

Section 5 be altered so that "AMC accredited surgical specialist" is put in place of "medical practitioner" in section a). Our understanding is that this would render sections 5d) and 5e) superfluous, and they could be removed.

(5) In this section— **surgical class** means the following classes of medical practitioners—

1. (a) a medical practitioner holding **AMC accredited surgical specialist** registration in the recognised specialty of surgery;
2. (b) a medical practitioner holding specialist registration in the recognised specialty of obstetrics and gynaecology;
3. (c) a medical practitioner holding specialist registration in the recognised specialty of ophthalmology;

Or, alternatively:

OPTION 2

Section 5e (line 32) be amended to:

- e) another class of **AMC accredited surgical specialist**,

This change will ensure that standards of training of those with the title “surgeon” would be preserved into the future and would protect the intent of the Bill by strengthening and maintaining clarity of the definition of ‘surgeon’.



We note that the stimulus for this bill was the harm done to members of the community undergoing cosmetic surgery by those not qualified as specialist surgeons. A survey of 2115 Australian GPs found that 8 per cent had seen adverse events from non-specialist cosmetic surgery practitioners and many plastic surgeons see poor outcomes and complications in both public hospitals and private rooms.

While the stimulus for the bill is the field of cosmetic surgery, the implications within health care are broader. Various “procedural” practitioners would like to increase scope of practice and secure this by being able to use the title “surgeon”. This would ultimately lead to renewed confusion about what being a “surgeon” really means, and the level of training required to earn the title.

We urge the Committee to make a recommendation that section 5 be amended in order to preserve the essential intent of this important legislation.

Yours sincerely,


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ASPS President



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